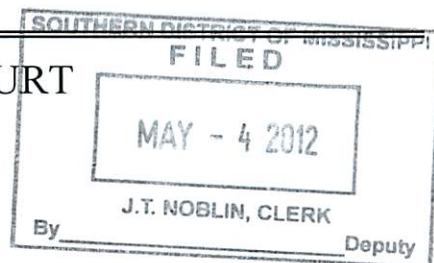


AO 91 (Rev. 08/09) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the  
Southern District of Mississippi

United States of America

v.

J Jesus Rivera-Gonzalez

and

Noel Hernandez-Alvarez

Case No. 1:12-mj-503

*Defendant(s)*

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 3, 2012 in the county of Harrison in the  
Southern District of MS, Southern Division, the defendant(s) violated:*Code Section**Offense Description*

21 U.S.C. § 841(a)(1)

Possession with Intent to Distribute a Controlled Substance, 500 grams or more of methamphetamine.

21 U.S.C. § 846

Conspiracy to Possess with Intent to Distribute a Controlled Substance, 500 grams or more of methamphetamine.

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.

A handwritten signature in blue ink, appearing to be "Chris Caldwell".

*Complainant's signature*

Chris Caldwell, DEA Task Force Agent

*Printed name and title*

Sworn to before me and signed in my presence.

Date: May 4, 2012

A handwritten signature in blue ink, appearing to be "Robert H. Walker".

*Judge's signature*City and state: Gulfport, MS

Robert H. Walker, U.S. Magistrate Judge

*Printed name and title*

## **AFFIDAVIT**

I, Chris Caldwell, being first duly sworn, state as follows:

### **Introduction**

I am a Task Force Agent (TFA) with the United States Department of Justice, Drug Enforcement Administration (DEA). I have been a Task Force Agent of the DEA for 5 ½ years. My employing agency is the Moss Point Police Department and have been employed there for 6 years. Prior to Moss Point, I was employed with the Bay County Sheriff's Office in Panama City, Florida since 1994 as a Deputy Sheriff. I am currently assigned to the Gulfport Resident Office located in Gulfport, MS. During the course of my employment, I have participated in numerous investigations of illegal narcotics trafficking and violations of Title 21 United States Code. Many of these investigations involve the sale and distribution of controlled substances, including methamphetamine.

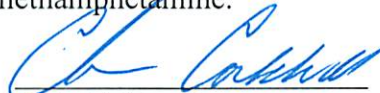
### **Probable Cause Factual Basis**

1. On May 03, 2012, agents of the DEA Gulfport Resident Office , received information from a reliable Source of Information, hereafter referred to as SOI, that a subject known only as "El Gordo" was flying into the Gulfport/Biloxi International Airport at approximately 6:00 p.m., for the purposes of coordinating the delivery of approximately 30 pounds of methamphetamine.
2. Agents established surveillance in and around the airport and determined that a Delta flight, flight #5484 was scheduled to arrive at 6:02 p.m. The described flight was delayed and ultimately arrived at approximately 6:40 p.m. Agents observed a Hispanic male that had deplaned and went to the baggage claim area. Agents established surveillance on the subject who was subsequently identified as J Jesus RIVERA-GONZALEZ and observed RIVERA-GONZALEZ occupy a vehicle with another subject, who drove to a Hooters Restaurant located at 9495 Highway 49 in Gulfport, MS.
3. At approximately 7:51 p.m., the two subjects were observed departing the restaurant where they were surveiled and taking part in what agents determined to be a series of heat runs up and down Airport Road in Gulfport, MS. Agents then observed the subjects pull into the Holiday Inn parking-lot located at 9515 Highway 49 where the subjects were observed parking.
4. Agents observed RIVERA-GONZALEZ exit the vehicle and walk over to a awning of the Holiday Inn and stand. Agents then observed a second Hispanic male subject, later identified as Noel HERNADEZ-ALVAREZ walking with a roller type suitcase exit the Holiday Inn and walk over to the vehicle previously occupied by RIVERA-GONZALEZ.

5. Agents observed HERNANDEZ-ALVAREZ place the suitcase in the vehicle. At approximately 8:10 p.m., agents executed a coordinated arrest of RIVERA-GONZALEZ and HERNANDEZ-ALVAREZ. RIVERA-GONZALEZ was arrested without incident as HERNANDEZ-ALVAREZ attempted to flee the scene on foot before being apprehended. Agents obtained consent to search from the driver of the vehicle and agents located the suitcase in the back seat of the vehicle and discovered approximately 30 pounds of methamphetamine contained inside the suitcase. Agents conducted a field test of the methamphetamine which yield positive results for methamphetamine.
6. As a result of the investigation agents determined that RIVERA-GONZALEZ is a Mexican National who entered the United States on May 02, 2012, at the Sam Ysidro Port of Entry near San Diego, California. On May 03, 2012, RIVERA-GONZALEZ flew from Los Angeles, California, to Atlanta, Georgia, before connecting into Gulfport, Mississippi. HERNANDEZ-ALVAREZ traveled on the same flights from Los Angeles, California, to Atlanta, Georgia and then to Gulfport, MS.

### CONCLUSION

Based upon my experience as a DEA Task Force Agent and the facts listed above involving, J Jesus RIVERA-GONZALEZ and Noel HERNANDEZ-ALVAREZ it is my opinion that there is probable cause to believe that violations of Title 21, United States Code, Section 841(a)(1) and 846, have been committed in the Southern District of Mississippi by J Jesus RIVERA-GONZALEZ and Noel HERNANDEZ Alvarez are involved in the distribution of methamphetamine.



Chris Caldwell  
Task Force Agent  
Drug Enforcement Administration

Sworn and subscribed to me this 4<sup>TH</sup> day of MAY, 2012.

  
UNITED STATES MAGISTRATE JUDGE